

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: OLGA D. PARADES,

CASE NO. 09-22261 RDD

Debtor.

Chapter 13

ORDER EXPUNGING PROOF OF CLAIM OF PHH MORTGAGE CORP.

The above debtor, Olga D. Paredes (the “Debtor”) having filed a Motion to Expunge the Proof of Claim filed by PHH Mortgage Corp. (“PHH”), Claim #4, dated March 31, 2009; and PHH having objected to the requested relief; and the Court having held a hearing on the Motion on September 29, 2009, at which David B. Shaev, Esq. appeared on behalf of the Debtor and Shapiro & DiCaro, LLP appeared on behalf of PHH; and upon the record of the hearing and all of the pleadings filed herein; and, after due deliberation, the Court having determined, for the reasons stated by it on the record of the hearing, that the Debtor has rebutted the presumptive validity of Claim #4 and PHH has not thereafter sustained its burden with respect to such claim, it is hereby

ORDERED that Debtor’s Motion to Expunge Proof of Claim #4 of PHH is granted, and Claim #4 is expunged; and it is further

ORDERED that the Claims Register in this case will reflect that Claim #4 has been disallowed and expunged.

DATED: White Plains, New York
October 9, 2009

/s/Robert D. Drain
HONORABLE ROBERT D. DRAIN
U.S. BANKRUPTCY JUDGE